



OFFICE OF PUBLIC INSTRUCTION

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Linda McCulloch
Superintendent

May 2, 2005

To: Interested Persons

From: Robert Runkel, Administrator
Division of Special Education

Re: Application for Part B Funds Under the Individuals with Disabilities Education Act, As amended in 2004 (IDEA: P.L. 108-446)

Proposed Policy Statement on Implementation of Special Education Procedures Under IDEA

Enclosed is a copy of the state's application for federal fiscal year (FFY) 2005 grant funds under the Individuals with Disabilities Education Act, As Amended in 2004 (IDEA: PL 108-446) and a copy of a proposed policy statement regarding implementation of special education procedures under IDEA and state laws and rules.

In order for Montana to receive federal funds under IDEA, it must submit an annual application to the U.S. Department of Education. The enclosed application consists of three sections:

- Section I: Submission Statement
- Section II: Assurances and Certifications
- Section III: Description of Use of Funds Under Part B of IDEA.

In Section II: Assurances and Certifications, the Office of Public Instruction has identified if its current policies, rules and statutes are consistent with the requirements in the IDEA PL 108-446. If it has been determined that the state cannot provide an assurance that its policies and/or rules are consistent with the requirements under IDEA PL 108-446 for the specific assurance statement, the state has stated that it will revise its policies and rules by June 30, 2006, to ensure consistency with PL 108-466.

Proposed changes to state administrative rules and policies will be developed through broad stakeholder involvement following publication of the final regulations under IDEA PL 108-446 and will be made available to the public in accord with public participation requirements prior to their adoption.

A public hearing on the enclosed IDEA Part B Application and proposed policy statement will be held on:

"It is the mission of the Office of Public Instruction to improve teaching and learning through communication, collaboration, advocacy, and accountability to those we serve."

Date: June 15, 2005
Time: 9:00-10:00 a.m.
Location: Office of Public Instruction
1300 Eleventh Avenue
2nd Floor Conference Room
Helena, MT

The public hearing will allow for comment on the IDEA Part B Annual Application and on the proposed policy statement.

The Office of Public instruction will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternate accessible format of the documents. If you require an accommodation, contact the Office of Public Instruction no later than 5:00 p.m. on June 8, 2005, to advise us of the nature of the accommodation that you need. Please contact Marlene Wallis at (406)444-2504 or e-mail her at mwallis@mt.gov.

Written comments on the notice and the application can be sent to the Office of Public Instruction, Division of Special Education, PO Box 202501, Helena, Montana 59620-2501, and must be received no later than 5:00 p.m. on June 16, 2005.

Copies of this memo and the application are available for review on the Office of Public Instruction Web site at www.opi.mt.gov (look under News Headlines) or by calling the Division of Special Education at (406) 444-4428.

Public Notice

Proposed Policy Statement on Implementation of Special Education Procedures Under IDEA

It is the policy of the Office of Public Instruction to operate consistent with all requirements of Individuals with Disabilities Education Improvement Act of 2004 (PL 108-446) and all current federal regulations, state policies, procedures, and administrative rules developed under the Individuals with Disabilities Education Act Amendments of 1997 (PL 105-17) that are not inconsistent with IDEA PL 108-446.

In those cases in which a current special education federal regulation, state policy, procedure, or administrative rule is inconsistent with IDEA 2004 (PL 108-446) the Office of Public Instruction and local education agencies shall implement procedures consistent with the requirements of PL 108-446.